

Kennedy's mental-health bill rejuvenated in House, Senate votes

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BY JOHN E. MULLIGAN
Providence Journal Washington Bureau

WASHINGTON — After languishing for months in disagreements over how to pay for it, Rep. Patrick J. Kennedy's signature mental-health bill was rejuvenated yesterday in separate House and Senate votes.

But enactment of the mental-health parity bill is far from a sure thing as Congress rushes to bail out the financial system, come up with the money to keep the government running and finish the rest of its "must" legislation before it adjourns for the remainder of the campaign season.

In keeping with this week's frantic atmosphere on Capitol Hill, the parliamentary outlook for Kennedy's measure is complex. Ostensibly, the chances for a bill-signing ceremony with President Bush look good, because Kennedy and his allies have mustered overwhelming support in both houses for their effort to make insurance companies cover mental illness in the same way as physical illness. But in order to beat the legislative clock, mental-health advocates are pursuing a two-track approach that could yet come up short.

About a year ago the Senate unanimously passed a version of the bill that enjoyed broad support from the mental-health lobby, the insurance industry and business interests generally. That represented a victory for the longtime chief Senate sponsors of the initiative, Sen. Edward M. Kennedy, D-Mass., and Sen. Pete V. Domenici, R-N.M.

The House followed suit early this year with a more generous version, cosponsored by Patrick Kennedy and Rep. Jim Ramstad, R-Minn., that risked opposition from business groups. The two men were linked by their experience as alcoholics who found recovery, in part, because they had medical insurance that covered addiction treatment.

After months of negotiations, supporters of the two bills struck a compromise on the workings of the equal insurance coverage for mental-health patients and addicts. But differences persisted over how to cover the cost of the new system. Budget and tax writers in the two houses made strides on that front over the summer — tentatively settling on a plan to attach the mental-health bill to a big package of tax legislation that was considered a good bet for passage. But that deal failed to materialize before Congress adjourned for the summer.

Last night, the House voted 376 to 47 to pass a standalone mental-health parity bill that embraces the earlier compromise on how the insurance coverage would work, plus a new financing mechanism considered acceptable to the Senate.

Now the bill's supporters on the other side of the Capitol will try to squeeze it onto an already-jammed Senate floor agenda. If the stand-alone bill is to go to Mr. Bush for his signature, it must go under a special procedure that requires a unanimous vote. Therefore a single objection could kill that version.

That is why parity supporters are simultaneously pursuing a second strategy to pass their bill. The mental-health bill was still included in the big package of tax extensions that, coincidentally, passed the Senate 93 to 2 last night.

Just as the standalone House parity bill may have trouble getting a Senate vote, the Senate tax-extendors bill — which contains mental-health parity — may face problems in the House because some budget-minded Democratic conservatives could object to its overall financing.

Not much time remains. The House has a target adjournment date of Friday. Debate over the bailout of the nation's financial system may push the deadline back by some days, but members of both houses appear to be intent on avoiding a post-election lame-duck session this year.

So if parity fails to pass in the next few days, Kennedy and his allies will have to start from scratch next year — without the help of retiring colleagues such as Ramstad and Domenici.